IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

SUMMONS FOR JUDGMENT NO.54 OF 2006

IN

SUIT NO.3496 OF 2005

...

Rasiklal Amrutlal Shah ...Plaintiff

v/s.

Banwarilal Saini ...Defendant

...

Mr.R.L.Dharia for the Plaintiff.

Ms.Seema Singh i/b M.Shah Alam Khan for the Defendant.

...

CORAM: D.K.DESHMUKH, J.

DATED: 12TH JUNE, 2006

P.C.:

As the Defendant is willing to deposit the amount of principal, with the consent of the Plaintiff, summons for judgment is disposed off in following terms:

(i) The Defendant to deposit with due intimation to the Plaintiff Rs.1,50,000/- in Court within a period of six weeks from today.

(ii) On the amount being deposited, this Summons for judgment shall stand disposed of and leave to defend shall stand granted to the Defendant. In that event the Defendant to file his written statement within eight weeks from the date of deposit.

(iii) Prothonotary & Sr.Master shall permit the Plaintiff to withdraw the amount on furnishing a bank guarantee of a nationalised bank and on filing an undertaking to redeposit the amount, if so directed by this court on such terms and conditions as may be directed by this Court.

(iv) In case the Defendant fails to deposit the amount within the aforesaid period, the summons for judgment shall stand granted and the suit shall stand decreed in terms of prayer clauses of the suit.

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